

DiNARDO & METSCHL, P.C.

PERSONAL INJURY ATTORNEYS AT LAW

Emil R. DiNardo
Daniel R. Metschl

2813 WEHRLE DRIVE, SUITE 13, WILLIAMSVILLE, NY 14221-7380
TEL: 716-204-9001 FAX: 716-204-9016

Fax Service Not Accepted

April 24, 2012

Honorable Magistrate Judge Joan M. Azrack
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Martignette v. LIRR
Civil Action 1:10-cv-01593-erk-jma
Adjournment

Dear Magistrate Judge Azrack:

I am writing this letter after conducting a phone conversation with defense counsel and obtaining his consent to the requested adjournment.

At the present time, I must advise the Court that the Law Firm of DiNardo and Metschl, P.C. will be terminated as of April 31, 2012. Attorney Daniel R. Metschl will be retiring and leaving the practice. Therefore, as of May 1, 2012, the undersigned Emil R. DiNardo, will be a sole practitioner and will be handling the above-referenced case.

As a result of the above, I am writing to request an adjournment of the Settlement Conference currently scheduled for 5/15/2012 at 12:30 p.m. because I am undergoing a planned spinal fusion currently scheduled for 5/15/12 at 3:00 p.m.

I have been advised by my neurosurgeon, Dr. Egnatchik, that if all goes well, I will be considered temporarily totally disabled for a period of at least six weeks. I am, therefore, requesting that an adjournment of the Settlement Conference be granted in the above-referenced matter and be rescheduled on the August or September Court Calendar.

Respectfully submitted,

DiNARDO & METSCHL, P.C.



EMIL R. DiNARDO

ERD/cad